

**ASSEMBLY, No. 346**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman SEAN T. KEAN**

**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Requires electric public utilities to implement flood mitigation plans for certain electric distribution substations; prohibits rate increase pending implementation of flood mitigation plans.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1    **AN ACT** concerning electric public utility flood mitigation plans and  
2       supplementing Title 48 of the Revised Statutes.

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4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7       1. As used in P.L.     , c.     (C.     ) (pending before the  
8 Legislature as this bill):

9       “Board” means the Board of Public Utilities.

10       “Electric distribution substation” means, with respect to an  
11 electric public utility, an electric substation which takes electricity  
12 from the transmission grid and converts it to a lower voltage for the  
13 purpose of distribution to end-use customers in the State through  
14 one or more distribution lines having a rating of less than 69  
15 kilovolts, or such rating as the board to determines to be at the  
16 distribution level.

17       “Electric public utility” or “utility” means a public utility, as that  
18 term is defined in R.S.48:2-13, that transmits and distributes  
19 electricity to end users within this State.

20       “Sustained outage” is the interruption of electric service for a  
21 period of not less than 24 hours.

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23       2. a. Within 120 days of the board’s promulgation of the rules  
24 and regulations establishing flood-proof design regulations pursuant  
25 to section 4 of P.L.     , c.     (C.     ) (pending before the Legislature  
26 as this bill), each electric public utility in the State having  
27 ownership or control of an electric distribution substation which  
28 has, within 10 years prior to the effective date of  
29 P.L.     , c.     (C.     ) (pending before the Legislature as this bill),  
30 experienced flooding that has resulted in a sustained outage to at  
31 least five percent of the end-use customers of any municipality  
32 located within the electric public utility’s service territory, or five  
33 percent of the end-use customers of any county located within an  
34 electric public utility’s service territory if such outage has effected  
35 end-use customers in more than one municipality, shall prepare and  
36 submit to the board, a plan to mitigate flood damage to the  
37 substation in accordance with the flood-proof design regulations  
38 promulgated by the board pursuant to section 4 of  
39 P.L.     , c.     (C.     ) (pending before the Legislature as this bill).

40       b. Within 180 days of receipt of a flood damage mitigation plan  
41 pursuant to subsection a. of this section, the board shall determine  
42 whether the plan is feasible and whether it shall be implemented  
43 with or without recommendations. Upon a determination that the  
44 plan shall be implemented, the board shall order that the plan be  
45 implemented and flood damage mitigation at the electric  
46 distribution substation described in the plan shall be completed  
47 within one calendar year from such order, which order shall include  
48 any recommendations for amendments or additions to the plan.

